

# AM10

## Notice of administrator's progress report



Companies House

MONDAY



A09 \*A93D1PU0\* #29  
20/04/2020  
COMPANIES HOUSE

### 1 Company details

Company number 0 2 6 8 2 3 1 6  
Company name in full Mable Commercial Funding Limited

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.

### 2 Administrator's name

Full forename(s) Edward  
Surname Macnamara

### 3 Administrator's address

Building name/number 7 More London Riverside  
Street  
Post town London  
County/Region  
Postcode S E 1 2 R T  
Country United Kingdom

### 4 Administrator's name ①

Full forename(s) Dan Yoram  
Surname Schwarzmans

① Other administrator  
Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number PricewaterhouseCoopers LLP  
Street 7 More London Riverside  
Post town London  
County/Region  
Postcode S E 1 2 R T  
Country United Kingdom

② Other administrator  
Use this section to tell us about  
another administrator.

# AM10

## Notice of administrator's progress report

### 6 Period of progress report

|           |     |     |     |     |     |     |     |     |
|-----------|-----|-----|-----|-----|-----|-----|-----|-----|
| From date | d 2 | d 3 | m 0 | m 9 | y 2 | y 0 | y 1 | y 9 |
| To date   | d 2 | d 2 | m 0 | m 3 | y 2 | y 0 | y 2 | y 0 |

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's  
signature

Signature

X



X

Signature date

|     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|
| d 2 | d 0 | m 0 | m 4 | y 2 | y 0 | y 2 | y 0 |
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# AM10

## Notice of administrator's progress report



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Saba Wanchoo Mir**

Company name **PricewaterhouseCoopers LLP**

Address **7 More London Riverside**

Post town **London**

County/Region

Postcode **S E 1 2 R T**

Country **United Kingdom**

DX

Telephone **07841467382**



### Checklist

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



### Important information

**All information on this form will appear on the public record.**



### Where to send

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.



### Further information

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**

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**Joint administrators' progress report  
from 23 September 2019 to 22  
March 2020**

**Mable Commercial Funding  
Limited (in administration)**

High Court of Justice, Business & Property Courts of  
England & Wales, Insolvency & Companies List (ChD)  
Case no. 8211 of 2008

20 April 2020

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# Abbreviations and definitions

The following table shows the abbreviations and insolvency terms used in this report:

| Abbreviation or Definition | Meaning                                                                                                                                                   |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| "Acenden"                  | Acenden Limited (formerly known as Capstone Mortgage Services Limited)                                                                                    |
| "Administrators"           | DY Schwarzmann, EJ Macnamara, GE Bruce and R Downs                                                                                                        |
| "Administration"           | Mable's administration                                                                                                                                    |
| "CURL"                     | Consumer Unsecured Reperforming Loan PLC                                                                                                                  |
| "Court"                    | The High Court of Justice                                                                                                                                 |
| "Eldon Street"             | Eldon Street Holdings Limited (in administration)                                                                                                         |
| "FCA"                      | Financial Conduct Authority                                                                                                                               |
| "Firm"                     | PricewaterhouseCoopers LLP                                                                                                                                |
| "Group"                    | Lehman Brothers UK group                                                                                                                                  |
| "HMRC"                     | HM Revenue and Customs                                                                                                                                    |
| "IM"                       | Information Memorandum                                                                                                                                    |
| "IR16"                     | Insolvency (England & Wales) Rules 2016                                                                                                                   |
| "IA86"                     | Insolvency Act 1986                                                                                                                                       |
| "LBIE"                     | Lehman Brothers International (Europe) (in administration)                                                                                                |
| "LBL"                      | Lehman Brothers Limited (in administration)                                                                                                               |
| "Mable" or the "Company"   | Mable Commercial Funding Limited (in administration)                                                                                                      |
| "Mortgage Assets"          | Mortgage loan assets, bonds and residual interests in securitisation structures held by Mable's subsidiaries                                              |
| "NDA"                      | Non Disclosure Agreement                                                                                                                                  |
| "PAG"                      | The Firm's Portfolio Advisory Group                                                                                                                       |
| "Period"                   | The six months from 23 September 2019 to 22 March 2020                                                                                                    |
| "PML"                      | Preferred Mortgages Limited                                                                                                                               |
| "Preferential creditors"   | Claims for unpaid wages earned in the four months before the insolvency up to £800, holiday pay and unpaid pension contributions in certain circumstances |
| "Proposals"                | The Administrators' statement of proposals for achieving the purpose of the Administration, dated 12 November 2008                                        |
| "Resetfan"                 | Resetfan Limited                                                                                                                                          |
| "Secured creditors"        | Creditors with security in respect of their debt, in accordance with section 248 IA86                                                                     |
| "SIP"                      | Statement of Insolvency Practice                                                                                                                          |
| "SPML"                     | Southern Pacific Mortgages Limited                                                                                                                        |
| "Storm"                    | Storm Funding Limited (in administration)                                                                                                                 |
| "unsecured creditors"      | Creditors who are neither secured nor preferential                                                                                                        |
| "VAT"                      | Value Added Tax                                                                                                                                           |

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# Key messages

## Why we have sent you this report

This is the twenty-third progress report by the Administrators of the Company.

Creditors should have received the Proposals approved at a meeting of creditors held on 27 November 2008 and the Administrators' 22 previous progress reports. All earlier reports are available on our website at <https://www.pwc.co.uk/services/business-recovery/administrations/non-lbie-companies/mable-commercial-funding-limited-in-administration.html>.

This report provides an update on the work the Administrators have undertaken and the progress made since their appointment with particular focus on the progress made in the Period.

## How much creditors may receive

On 24 June 2013, the Court made an order pursuant to paragraph 65(3) of Schedule B1 to IA86 granting permission for the Administrators to make distributions to unsecured creditors.

The Administrators have paid eleven interim dividends totalling 85.53 pence in the pound on admitted claims. Cumulative distributions to date total £616.2m, including 2.60 pence in the pound (£18.7m) paid in the Period.

We set out in Appendix D a list of the dividends paid to date.

| <b>Class of creditor</b> | <b>Current estimate<br/>(p in £)</b> | <b>Previous estimate<br/>(p in £)</b> |
|--------------------------|--------------------------------------|---------------------------------------|
| Secured creditors        | n/a                                  | n/a                                   |
| Preferential creditors   | n/a                                  | n/a                                   |
| Unsecured creditors      | *85.5 – 86.9                         | 83.2 – 85.0                           |

*\*Please note this guidance on dividends is only an estimate. Creditors should therefore exercise caution in relying on these figures and all estimates included in this report for any purpose. The Administrators will not be responsible for any losses incurred.*

The timing and quantum of future dividends is largely dependent on realisations from the remaining Mortgage Assets as part of Mable's asset realisation strategy, which may be impacted by the implications of COVID-19 is discussed later in this report.

## What you need to do

If you have not already done so, please send your claim to us so that we can agree it. A claim form can be downloaded from our website at <https://www.pwc.co.uk/services/business-recovery/administrations/non-lbie-companies/mable-commercial-funding-limited-in-administration.html> or you can obtain one by telephoning Saba Mir on +44 7841 467382.

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# ***Overview of what we have done to date***

## ***Claims agreement***

Mable received 21 claims from unsecured creditors. Six claims were subsequently withdrawn and 15 claims with a total value of £720m have been admitted for dividend. The largest admitted claim is from LBIE, at £598m.

## ***Mortgage Assets***

As described in previous reports, the Administrators continued to implement a hold strategy for the Mortgage Assets, with ongoing input from PAG in assessing options to maximise value from these assets. Mable's interests in the Mortgage Assets largely comprise the equity held in the Mable sub-group, principally SPML and PML. SPML and PML have undertaken transactions, including one in the Period, to release value from a number of securitisation structures in which they held residual interests. As a result of this and resolution of other matters, dividends received from SPML and PML total £338.5m. Mable continues to review SPML and PML's Mortgage Assets and possible transaction structures, which could facilitate the release of additional value. This is discussed further in the next section.

## ***Restructuring of subsidiaries***

The main objectives of restructuring the Mable sub-group were to simplify the group, reduce operating costs, minimise tax leakage and accelerate cash repatriation to Mable. This is discussed further in the next section.



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# *Progress since we last reported*

The key developments in the Period are described below.

## *Mortgage Assets*

The Administrators continue to review and monitor the performance of the Mortgage Assets, in particular, options to maximise value from the remaining securitisation structure assets continue to be investigated. A number of tax matters have been reviewed by SPML and PML, in conjunction with specialist tax colleagues. These were subsequently resolved. A possible borrower redress exposure was also resolved. As a result of completing a transaction in the Period, the ongoing performance of the underlying assets and resolution of these other matters, further dividends totalling £20m were received from SPML and PML during the Period.

## *Review of SPML and PML*

Following the strategic review being completed and the decision being taken to explore an exit process, in the Period the Administrators commenced a sales process for the two entities. This comprised several tasks including the following:

- Consideration of how corporate information and key data should be incorporated into the IM, data room and other marketing materials to support the sale process;
- Managing the transaction process including the preparation and review of marketing materials (including IM, process letter, NDA and brief teaser document introducing the opportunity) to be issued to interested parties and engaging with legal advisors; and
- Considering and selecting potential bidders, engaging with them and agreeing NDAs, providing the IM, process letter and access to the data room, dealing with bidder questions and clarifications required and managing responses.

The sales process completed with no suitable bids being received. As a result, the Administrators began exploring alternative exit options with various stakeholders of SPML and PML, and continue to liaise with these stakeholders to consider the most appropriate course of action to realise value, manage costs and minimise risk in relation to SPML and PML.

## *COVID-19*

The COVID-19 crisis is expected to have implications for SPML and PML's ongoing realisation of cashflows in relation to the residual income obtained from the securitised residential mortgage assets. A significant element of the mortgage book relates to self certified mortgages by self employed borrowers some of whom are expected to experience repayment difficulties due to the impact on their ability to work during the Government lockdown period. To aid this, a number of emergency measures have been put in place, encouraged both by the Government and the FCA, including mortgage providers offering customers who are experiencing issues with their finances as a result of COVID-19 with repayment holidays.

It is not possible at this stage for us to assess with any certainty the implications of COVID-19 on the residual mortgage assets held in SPML and PML and on Mable's business. We are currently working with management to assess the potential implications on SPML and PML's residual income from the securitisations.

## *Restructuring of subsidiaries*

As previously reported, as part of the restructuring process, Mable acquired the right to receive deferred consideration from Storm in respect of the CURL asset held by Acenden. In the Period, Mable received proceeds of £27k. Future receipts should occur but the amounts are uncertain.

## *Debtors*

As creditors will recall, Mable's total claims against various Lehman US affiliates were agreed pursuant to the Joint Chapter 11 Plan dated December 2011 at \$19.7m. To date, Mable has received distributions totalling \$7.1m of which \$35k was received in the Period. A further distribution of \$10k was received outside the Period on 3 April 2020.

On 29 July 2013 Storm admitted Mable's claim of £366m. Mable has received dividends from Storm totalling £152.6m. No further distributions were received in the Period.

On 8 October 2013 Eldon Street admitted Mable's claim of £7.1m. To date, Mable has received dividends totalling £3.3m. No further distributions were received in the Period.

On 31 October 2014, LBL admitted Mable's claim of £160k, on which Mable has recovered 100 pence in the pound and statutory interest totalling £28.7k. LBL has advised that further statutory interest may also be paid. No further distributions were received in the Period.

The timing and quantum of future distributions by Mable's debtors remain uncertain.

## *Taxation*

All corporation tax returns up to and including the year ended 22 September 2017 have now passed their HMRC enquiry periods and are therefore agreed. The corporation tax return for the year ended 22 September 2018, which was submitted on 25 October 2019, showed a loss for the period of c.£1.0m; the enquiry period for this return will close on 31 October 2020. The tax computation for the year ended 22 September 2019 is in the process of being prepared and will be submitted in advance of the 22 September 2020 deadline.

No further significant corporation tax refunds are envisaged for pre-appointment periods over and above the £27.1m already recovered.

The Administrators have complied with their obligations regarding the publication of the Lehman group Tax Strategy. The Administrators have also adhered to the UK and US Foreign Account Tax Compliance Act and Common Reporting Standards and have considered their obligations under the Corporate Criminal Offence rules that came into effect in September 2017.

To date, Mable has received VAT repayments totalling £1.6m. VAT repayments of £6k in relation to the VAT return quarters May 2019 and August 2019, were received in the Period. A VAT repayment of £2k in relation to the November 2019 VAT return has been received by the VAT group representative member, and will be distributed to the Company shortly. In the Period, work commenced to prepare the VAT return for the quarter ended 29 February 2020.

## *Connected Parties*

There have been no sales or transactions with connected parties of the Company, during the Period.

## *Investigations and actions*

Nothing has come to the Administrators' attention during the Period to suggest that they need to do any more work in line with their duties under the Company Directors' Disqualification Act 1986 and SIP2.

## *Our receipts and payments account*

We set out in Appendix A an account of our receipts and payments in the Administration from 23 September 2019 to 22 March 2020, and cumulative receipts and payments from 23 September 2008 to date.

As advised earlier in the Administration, all of the Company's assets are uncharged, there being no secured creditors.

Significant receipts in the Period comprised:

- £4m in respect of a dividend from PML; and
- £16m in respect of a dividend from SPML.

Significant payments in the Period were:

- £18.7m in respect of Mable's eleventh interim distribution, paid on 30 January 2020; and
- £598k (inclusive of VAT) in respect of Administrators' fees.

Total cash held as at 22 March 2020 was £5.1m and as at that date, there were no funds invested on the money markets.

## *Our expenses*

We set out in Appendix B a statement of the expenses we have incurred to the date covered by this report and an estimate of our future expenses.

## *Our fees*

The manner in which Administrators' remuneration is determined and approved is set out in the relevant insolvency legislation.

In accordance with the Proposals, as a creditors' committee was not formed, it is for the general body of creditors to agree the level of the Administrators' remuneration and Category 2 disbursements.

At a meeting held by correspondence on 20 September 2010, creditors who voted unanimously approved a resolution authorising the Administrators to draw remuneration on the basis of their time costs, together with Category 2 disbursements and VAT from 1 July 2010 onwards from time to time. In accordance with the resolution, the Administrators can draw remuneration 21 days from the day after circulating details to creditors.

On 10 December 2019, the fee analysis for the period 1 March 2019 to 31 August 2019 was circulated to creditors and fees of £598k (inclusive of VAT) were settled on 22 January 2020. Following that payment, the total amount of Administrators' remuneration paid was £14.9m (inclusive of VAT).

On 25 March 2020, the fee analysis for the period from 1 September 2019 to 29 February 2020 was circulated and fees of £498k (inclusive of VAT) will be drawn on or shortly after 30 April 2020. This would then bring the total amount of Administrators' remuneration to £15.4m (inclusive of VAT).

## *Creditors' rights*

Creditors have the right to ask for more information within 21 days of receiving this report as set out in Rule 18.9 IR16. Any request must be in writing. Creditors can also challenge fees and expenses within eight weeks of receiving this report as set out in Rule 18.34. This information can also be found in the guide to fees at:

<http://www.icaew.com/-/media/corporate/files/technical/insolvency/creditors-guides/creditors-guide-administrators-fees-final.ashx?la=en>

This guide is for appointments on or after 1 November 2011 and whilst not all the provisions apply to this administration (which commenced 23 September 2008) it is the most appropriate guide currently available following the changes made by IR16.

You can also obtain a copy free of charge by telephoning Saba Mir on +44 7841 467382.

## What we still need to do

The Administrators will continue to:

- Work closely with all subsidiary companies to maximise value and speed of returns to Mable;
- Work closely with LBIE, being Mable's majority creditor, including consultation over planned asset disposals;
- Work with the Storm team to ensure that future CURL proceeds are remitted to Mable; and
- Make further payments to creditors as funds permit.

## Next steps

We continue to consider the best strategy for ending the Administration, taking into account asset realisations and tax implications.

We expect to send our next report to creditors in about six months.

If you have any questions, please get in touch with John Baker on +44 7483 326661.

Yours faithfully

For and on behalf of Mable Commercial Funding Limited



D Y Schwarzmenn  
Joint Administrator  
Mable Commercial Funding Limited

*DY Schwarzmenn, EJ Macnamara, GE Bruce and R Downs were appointed as Joint Administrators (the "Administrators") of Mable to manage its affairs, business and property as agents without personal liability. DY Schwarzmenn, EJ Macnamara, GE Bruce and R Downs are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales.*

*DY Schwarzmenn, EJ Macnamara, GE Bruce and R Downs may act as Data Controllers of personal data as defined by UK data protection law depending upon the specific processing activities undertaken. PricewaterhouseCoopers LLP may act as a processor on the instructions of DY Schwarzmenn, EJ Macnamara, GE Bruce and R Downs. Personal data will be kept secure and processed only for matters relating to the Administrators' appointment. Further details are available in the privacy statement on the PwC.co.uk website or by contacting the Administrators.*

*The Administrators are bound by the Insolvency Code of Ethics which can be found at:  
<https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.*

The receipts and payments account does not show estimated to realise values from the directors' statement of affairs as this would not provide a meaningful comparison with actual asset recoveries.

**Receipts and Payments to 22 March 2020**Exchange rate as at 22 September 2019

|                                       |               |        |
|---------------------------------------|---------------|--------|
| Exchange rate as at 30 September 2019 | US\$ 1 : GBP  | 0.8049 |
|                                       | EURO €1 : GBP | 0.8846 |
| Exchange rate as at 22 March 2020     | US\$ 1 : GBP  | 0.8702 |
|                                       | EURO €1 : GBP | 0.9362 |

**Note:** We set out in Appendix D a list of the dividends paid to date.

## Appendix B: Expenses

The following table provides details of our expenses. Expenses are amounts properly payable by us as Administrators from the estate and includes our fees, but excludes distributions to creditors. The table also excludes any potential tax liabilities that we may need to pay as an administration expense because amounts becoming due will depend on the position at the end of the tax accounting period.

The table should be read in conjunction with the receipts and payments account at Appendix A, which shows expenses actually paid during the Period and the total paid to date. Where appropriate, expenses are shown inclusive of VAT.

|                                  | <b>Brought forward<br/>balance<br/>£ 000's</b> | <b>Incurred in the<br/>Period<br/>£ 000's</b> | <b>Cumulative<br/>£ 000's</b> | <b>Estimated future<br/>£ 000's</b> | <b>Anticipated total<br/>£ 000's</b> |
|----------------------------------|------------------------------------------------|-----------------------------------------------|-------------------------------|-------------------------------------|--------------------------------------|
| Legal fees                       | 2,302                                          | 44                                            | 2,346                         | 254                                 | <b>2,600</b>                         |
| Wages & salaries                 | 1,574                                          | -                                             | 1,574                         | -                                   | <b>1,574</b>                         |
| Building and Occupancy<br>Costs  | 663                                            | -                                             | 663                           | -                                   | <b>663</b>                           |
| Administrators'<br>remuneration  | 14,929                                         | 440                                           | 15,369                        | 1,226                               | <b>16,595</b>                        |
| Administrators'<br>disbursements | 53                                             | -                                             | 53                            | 3                                   | <b>56</b>                            |
| Insurance                        | 289                                            | -                                             | 289                           | -                                   | <b>289</b>                           |
| Other professional fees          | 353                                            | -                                             | 353                           | 156                                 | <b>509</b>                           |
|                                  | <b>20,163</b>                                  | <b>484</b>                                    | <b>20,647</b>                 | <b>1,639</b>                        | <b>22,286</b>                        |

# Appendix C: Remuneration update

## Our hours and average rates

The time cost charges incurred in the six months from 23 September 2019 to 22 March 2020 are £366k (net of VAT).

We set out later in this Appendix details of our work to date, anticipated future work, disbursements, subcontracted work and payments to associates.

Joint Administrators' time costs for the period 23 September 2019 to 22 March 2020

| Classification of work                       | Partner |           | Director |            | Senior Manager |           | Manager |           | Senior Associate |            | Associate |           | Total     |               | Average hourly rate by work type |   |
|----------------------------------------------|---------|-----------|----------|------------|----------------|-----------|---------|-----------|------------------|------------|-----------|-----------|-----------|---------------|----------------------------------|---|
|                                              | Hours   | £         | Hours    | £          | Hours          | £         | Hours   | £         | Hours            | £          | Hours     | £         | Hours     | £             | Hours                            | £ |
| Accounting and Treasury                      |         |           |          |            | 4.30           | 2,601.50  | 2.25    | 1,145.25  | 28.90            | 11,182.75  | 24.50     | 6,255.00  | 59.95     | 21,184.50     | 337.12                           |   |
| Creditor Claims                              |         |           |          |            | 6.10           | 3,690.50  |         |           | 13.70            | 5,959.50   |           |           | 19.80     | 9,650.00      | 459.06                           |   |
| Realisation of Assets                        |         |           | 106.50   | 85,200.00  | 1.80           | 1,089.00  | 0.50    | 262.50    |                  |            |           |           | 108.80    | 86,551.50     | 795.66                           |   |
| Review of SPIL and PML                       | 0.25    | 300.00    | 64.50    | 51,600.00  | 7.75           | 6,587.50  |         |           | 146.45           | 63,655.75  |           |           | 218.95    | 122,143.25    | 566.05                           |   |
| Statutory and Compliance                     | 0.50    | 455.00    | 5.50     | 3,755.00   | 13.55          | 8,152.75  | 30.40   | 15,960.00 | 8.85             | 3,731.00   | 43.50     | 11,745.00 | 102.30    | 43,798.75     | 421.06                           |   |
| Strategy and Planning                        | 2.20    | 2,002.00  | 12.20    | 9,760.00   | 12.40          | 7,502.00  | 6.80    | 3,570.00  | 33.75            | 14,427.25  | 10.75     | 2,902.50  | 76.10     | 40,163.75     | 525.22                           |   |
| Tax and VAT                                  | 8.60    | 11,552.50 | 0.50     | 637.50     | 3.35           | 3,277.25  | 23.90   | 18,422.50 | 23.20            | 8,802.50   | 1.80      | 354.00    | 60.75     | 43,136.25     | 704.04                           |   |
| Grand Total                                  | 10.95   | 14,309.50 | 180.20   | 150,052.50 | 40.25          | 32,900.50 | 63.85   | 39,360.25 | 231.85           | 107,818.75 | 80.35     | 21,256.50 | 618.65    | 366,628.00    | 565.22                           |   |
| Average hourly rate for the six month period |         | 1306.80   |          | 797.85     |                | 668.03    |         | 616.45    |                  | 423.19     |           | 263.89    |           |               |                                  |   |
| Cumulative total to 22 March 2020            |         |           |          |            |                |           |         |           |                  |            |           |           | 19,291.85 | 12,298,015.00 |                                  |   |

All figures are net of VAT

## *Our time charging policy and hourly rates*

We and our team charge our time for the work we need to do in the Administration. We delegate tasks to suitable grades of staff, taking into account their experience and any specialist knowledge that is needed and we supervise them properly to maximise the cost effectiveness of the work done. Anything complex or important matters of exceptional responsibility are handled by our senior staff or us.

All of our staff who work on the Administration (including our cashiers) charge time directly to the case and are included in any analysis of time charged. Each grade of staff has an hourly charge out rate which is reviewed from time to time. Work carried out by our support and secretarial staff is charged for separately and is not included in the hourly rates charged by partners or other staff members. Time is charged in six-minute units. The minimum time chargeable is three minutes (i.e. 0.05 units). We do not charge general or overhead costs.

As advised in our previous report, effective from 1 March 2019, the Mable Administrators commenced using the PwC scale rates and will continue to bill for time costs six monthly in arrears.

We set out below the maximum charge-out rates per hour for the grades of our staff who already or who are likely to work on the Administration. We call on colleagues in our Tax and VAT departments where we need their expert advice. Our charge-out rates per hour for Tax / VAT specialist staff working on the administration increased from 1 February 2020. Their specialist charge-out rates vary but the following are the maximum rates by grade per hour:

| Grade            | From 1 July 2019 |           | From 1 February 2020 |           |
|------------------|------------------|-----------|----------------------|-----------|
|                  | £                |           | £                    |           |
|                  | Administration   | Tax / VAT | Administration       | Tax / VAT |
| Partner          | 910              | 1,385     | 910                  | 1,520     |
| Director         | 800              | 1,295     | 800                  | 1,395     |
| Senior manager   | 605              | 1,290     | 605                  | 1,290     |
| Manager          | 525              | 775       | 525                  | 775       |
| Senior associate | 435              | 575       | 435                  | 575       |
| Associate        | 270              | 285       | 270                  | 305       |
| Support staff    | 220              | 170       | 220                  | 170       |

The maximum rates by grade per hour for Portfolio Advisory Group specialists are as follows:

| Grade                          | From 1 July 2019 |  |
|--------------------------------|------------------|--|
|                                | £                |  |
| Partner                        | 1,200            |  |
| Director                       | 1,050            |  |
| Senior Manager                 | 900              |  |
| Manager                        | 700              |  |
| Senior associate – qualified   | 500              |  |
| Senior associate - unqualified | 425              |  |
| Associate                      | 275              |  |



## Our work in the period

Earlier in this section, we have included an analysis of the time spent by the various grades of staff.

Whilst this is not an exhaustive list, in the following table we provide more detail on the key areas of work.

| Area of work           | Work undertaken                                                                                                                                                                                                                                                                                                                                                                                                                             | Why the work was necessary                                                                                                                                     | What, if any, financial benefit the work provided to creditors OR whether it was required by statute                                                                                  |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accounting & treasury  | <ul style="list-style-type: none"> <li>Monitoring of the funds held and investing surplus cash</li> <li>Preparing and reviewing the receipts and payments report</li> <li>Updating treasury systems and organising bonding</li> </ul>                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>To monitor the funds held within the company</li> </ul>                                                                 | <ul style="list-style-type: none"> <li>Required by statute</li> <li>Manage risk of loss through credit default</li> </ul>                                                             |
| Creditor claims        | <ul style="list-style-type: none"> <li>Ongoing updates to the estimated final outcome statement</li> <li>Responding to creditor queries</li> <li>Preparation and payment of an eleventh interim dividend</li> </ul>                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>To assess whether a further distribution to creditors was feasible</li> <li>To maximise returns to creditors</li> </ul> | <ul style="list-style-type: none"> <li>Ongoing assessment of the estimated returns due to creditors</li> <li>Sufficient recoveries were made to enable an interim dividend</li> </ul> |
| Realisation of Assets  | <ul style="list-style-type: none"> <li>Discussions with SPML and PML management regarding resolution of a possible borrower redress exposure</li> <li>Investigation and planning for the execution of additional value maximisation and strategies in respect of SPML/PML mortgage assets</li> <li>Liaising with SPML on Project Oslo structuring and execution</li> </ul>                                                                  | <ul style="list-style-type: none"> <li>To realise maximum value for the creditors</li> </ul>                                                                   | <ul style="list-style-type: none"> <li>Increase value of dividends paid</li> </ul>                                                                                                    |
| Review of SPML and PML | <ul style="list-style-type: none"> <li>Ongoing discussions with SPML and PML to review forecasts to ensure that the most current information is available for evaluation of potential realisation strategies</li> <li>Assessment and pursuit of strategic exit options to maximise value and minimise ongoing legal title risk for SPML and PML</li> <li>Review of PAG valuation to inform decision making in respect of an exit</li> </ul> | <ul style="list-style-type: none"> <li>To realise maximum value for the creditors</li> </ul>                                                                   | <ul style="list-style-type: none"> <li>Increase value of dividends paid</li> </ul>                                                                                                    |

|                        |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                      |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | <ul style="list-style-type: none"> <li>• Ongoing activities in relation to the potential sale process for SPML &amp; PML</li> <li>• Strategy discussions on Plan B for SPML and PML following the potential sales process transaction not completing</li> </ul>                                                                                                                                                           |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                      |
| Statutory & compliance | <ul style="list-style-type: none"> <li>• Preparing and distributing six monthly progress reports and fee packs</li> <li>• Six monthly review by all Joint Administrators</li> <li>• Ensuring compliance with all other statutory and governance issues</li> <li>• Updating compliance database and PwC internal databases</li> </ul>                                                                                      | <ul style="list-style-type: none"> <li>• To enable reporting to all creditors</li> <li>• To ensure that the correct practice was applied to the estate</li> <li>• To ensure that all changes are compliant with legal and ethical regulations and that systems are updated accordingly</li> </ul> | <ul style="list-style-type: none"> <li>• Required by statute and professional guidelines</li> </ul>                                                                                                                  |
| Strategy & Planning    | <ul style="list-style-type: none"> <li>• Setting and agreeing the strategy for the estate – regular meetings of the team, liaising with other Lehman teams</li> <li>• Reviewing and authorising legal and other third-party billings</li> <li>• Updating Mable's webpage to inform creditors of the progress made on the estate</li> <li>• Preparing and finalising update notes for monthly strategy meetings</li> </ul> | <ul style="list-style-type: none"> <li>• To discuss and agree future actions</li> <li>• To inform creditors of the progress made on the estate</li> </ul>                                                                                                                                         | <ul style="list-style-type: none"> <li>• Maximise efficiency of work undertaken</li> </ul>                                                                                                                           |
| Tax & VAT              | <ul style="list-style-type: none"> <li>• Investigations into tax implications of future asset realisations in SPML and PML</li> <li>• Preparation and submission of the corporation tax computation for the year ended 22 September 2018</li> <li>• Preparation and submission of the quarterly VAT returns for August and November 2019</li> </ul>                                                                       | <ul style="list-style-type: none"> <li>• To remain as tax efficient as possible</li> </ul>                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>• Maximising tax recoveries to creditors</li> <li>• Mitigate tax leakage</li> <li>• Statutory obligations to file returns and adhere to UK regulatory obligations.</li> </ul> |

## Our future work

As mentioned earlier in our report, we continue to consider the best strategy for ending the Administration, taking into account asset realisations and tax implications.

We still need to do the following work to achieve the purpose of the administration. Should our strategy need to change, following consultation with key stakeholders, this will have an impact on the level of our work and estimated future costs.

| Area of work           | Work we need to do                                                                                                                                                                                                                                           | Net estimated cost<br>£'000 | Whether or not the work<br>will provide a financial<br>benefit to creditors                                                                   |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Accounting & treasury  | <ul style="list-style-type: none"> <li>Accounting and treasury functions including those outlined in the summary above</li> </ul>                                                                                                                            | 125                         | <ul style="list-style-type: none"> <li>Required by statute</li> </ul>                                                                         |
| Creditor claims        | <ul style="list-style-type: none"> <li>Distribution of future available funds to creditors with admitted claims</li> </ul>                                                                                                                                   | 145                         | <ul style="list-style-type: none"> <li>Return of funds to creditors</li> </ul>                                                                |
| Realisation of Assets  | <ul style="list-style-type: none"> <li>Monitoring the progress and risks associated with the strategy of asset management and realisation</li> </ul>                                                                                                         | 215                         | <ul style="list-style-type: none"> <li>Increase value of dividends paid</li> </ul>                                                            |
| Review of SPML and PML | <ul style="list-style-type: none"> <li>Continue to explore options for SPML &amp; PML with internal and external stakeholders</li> </ul>                                                                                                                     | 70                          | <ul style="list-style-type: none"> <li>Streamline company structure to be more efficient</li> <li>Increase value of dividends paid</li> </ul> |
| Statutory & compliance | <ul style="list-style-type: none"> <li>Preparing and distributing six monthly progress reports, fee packs and carrying out other statutory and compliance functions</li> </ul>                                                                               | 190                         | <ul style="list-style-type: none"> <li>Required by statute and professional guidelines</li> </ul>                                             |
| Strategy & Planning    | <ul style="list-style-type: none"> <li>Setting and agreeing the strategy for the estate – regular meetings of the team, liaising with other Lehman teams</li> <li>Updating Mable's webpage to inform creditors of the progress made on the estate</li> </ul> | 130                         | <ul style="list-style-type: none"> <li>Maximise efficiency of work undertaken</li> </ul>                                                      |
| Tax & VAT              | <ul style="list-style-type: none"> <li>Tax and VAT compliance including preparing tax computations and returns and seeking final tax clearance prior to closure</li> </ul>                                                                                   | 145                         | <ul style="list-style-type: none"> <li>Maximising tax efficiency on recoveries for creditors</li> <li>Statutory returns</li> </ul>            |

## *Disbursements*

The Administrators are not required to seek approval to draw expenses or disbursements unless they are for shared or allocated services provided by their own Firm, including room hire, document storage, photocopying, communication facilities. These types of expenses are called “Category 2” disbursements and they must be directly incurred on the case, subject to a reasonable method of calculation and allocation and approved by the same parties that approve their fees.

Category 1 disbursements comprise payments to third parties, for example in relation to travel costs, statutory advertising and insolvency office holders’ insurance.

The Administrators’ expenses policy allows for all properly incurred expenses to be recharged to the Administration.

Category 2 disbursements totalling £93 for website updates were incurred during the Period.

## *Our relationships*

We have no business or personal relationships with the parties who approve our fees or who provide services to the Administration where the relationship could give rise to a conflict of interest.

## *Details of subcontracted work*

Mable has contracted out tax services to the Lehman finance team whose employer is LBIE. This work has been subcontracted because it is more cost efficient than if the Administrators were to do it themselves.

## *Legal and other professional firms*

The Administrators have instructed Linklaters LLP to act as their legal advisors in the Period because of their prior knowledge of Mable. Linklaters LLP is remunerated on a time-cost basis.

All third party professionals are required to submit a detailed time-cost analysis and narrative in support of all invoices rendered. The Administrators have satisfied themselves that the level of legal and professional costs is appropriate

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## ***Appendix D: Dividends***

All interim dividends paid to unsecured creditors to date are detailed below:

| <b>Dividend</b> | <b>Date</b> | <b>Pence in the Pound</b> | <b>Value Distributed £</b> |
|-----------------|-------------|---------------------------|----------------------------|
| First           | 14-Nov-13   | 16.10                     | 115,966,121.86             |
| Second          | 15-May-14   | 4.70                      | 33,853,464.16              |
| Third           | 23-Sep-14   | 3.30                      | 23,807,835.49              |
| Fourth          | 02-Sep-15   | 3.00                      | 21,613,371.39              |
| Fifth           | 07-Jun-16   | 3.43                      | 24,710,088.83              |
| Sixth           | 22-Feb-17   | 1.35                      | 9,725,541.18               |
| Seventh         | 24-Apr-18   | 43.70                     | 314,819,370.22             |
| Eighth          | 01-Aug-18   | 3.22                      | 23,197,216.77              |
| Ninth           | 15-Jan-19   | 2.58                      | 18,586,592.40              |
| Tenth           | 10-Sep-19   | 1.55                      | 11,166,362.10              |
| Eleventh        | 30-Jan-20   | 2.60                      | 18,730,671.91              |
|                 |             | <b>85.53</b>              | <b>616,176,636.31</b>      |

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## ***Appendix E: Other information***

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|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Court details for the administration:                       | High Court of Justice, Chancery Division, Companies Court – case 8211 of 2008                                                                                                |
| Company's registered name:                                  | Mable Commercial Funding Limited                                                                                                                                             |
| Trading name:                                               | Mable Commercial Funding Limited                                                                                                                                             |
| Registered number:                                          | 2682316                                                                                                                                                                      |
| Registered address:                                         | 7 More London Riverside, London SE1 2RT                                                                                                                                      |
| Date of the joint administrators' appointment:              | 23 September 2008                                                                                                                                                            |
| Joint administrators' names, addresses and contact details: | DY Schwarzmann, EJ Macnamara, GE Bruce and R Downs of<br>PricewaterhouseCoopers LLP, 7 More London Riverside, London SE1 2RT<br>uk_mable_claims@pwc.com +44 (0) 20 7583 5000 |
| Extension(s) to the initial period of appointment:          | The Court has granted four successive extensions to the Administration period being to 30 November 2010, 30 November 2011, 30 November 2016 and 30 November 2022.            |

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